Davis Bacon FAQ

What is Davis Bacon?

The Davis-Bacon Act is a federal requirement that applies to all projects exceeding $2,000 in construction costs that are funded, in whole or in part, by Federal assistance and involve construction, alteration or repair. The Act requires that prevailing wages are paid weekly to all laborers and mechanics and aims to protect local wage standards and ensure the fair compensation for workers on federally funded projects.

What does Prevailing Wage mean and how are they determined?

Prevailing wages are the average wage and benefits paid to similarly employed workers in a specific region. Subrecipients can visit the Department of Labor or SAM.gov for wage determinations.

What does Davis Bacon require of Subrecipients?

Subrecipients must:

- Ensure that laborers and mechanics are paid at least the applicable prevailing wages, including fringe benefits, according to the appropriate Department of Labor wage determinations for all hours worked on a weekly basis.
- Ensure that applicable Davis-Bacon Act clauses and applicable wage determinations are flowed down to all contractors.
- Maintain an accurate record of hours worked and wages paid, including fringe benefit contributions, and submit certified payrolls on a weekly basis to DOE via the free software application LCPtracker.
- Complete and submit the Davis-Bacon semiannual report to DOE by April 21 and October 21 of each year in which funds are received.

Are there certain job types that are exempt from Davis Bacon?

Yes, bona fide apprentices, clerical, supervisory, and professional roles are exempt.

What will be required of my company during my project to show compliance with Davis Bacon?

Subrecipients will be required to:

- Post completed Davis-Bacon Act poster at job sites
- Post Davis-Bacon wage decision (found in SAM.gov) OR Project Wage Rate Sheet
- Provide MDA with weekly certified payroll preferably using LCPTracker
- Retain payroll records for 3 years
- Oversee any subcontractors to ensure that Davis Bacon is being followed.

Are there Waivers available for Davis Bacon?

No

Where can I go to learn more about Davis Bacon?

Davis-Bacon Act Requirements for Recipients of Infrastructure Investment and Jobs Act Funding | Department of Energy

Davis-Bacon and Related Acts Coverage | U.S. Department of Labor

PowerPoint Presentations | U.S. Department of Labor